

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Special Meeting

DATE AND LOCATION

August 21, 2015 – Board Office, Richmond, KY

PRESIDING OFFICER

Harold Brantley, Chair

ROLL CALL

Present:

Harold Brantley, Chair
Kathy Mayfield, Board Member
Thomas Oliver, Board Member – Via Video Conference
Jeff Fultz, Board Member
Dann Cann, Board Member

Present Also:

Larry Disney, Executive Director
Tom Veit, Executive Assistant
Angie Thomas, Staff Assistant
Nicole Biddle, Attorney General Office

Absent:

Kim Mathias, Executive Secretary

Chair, Harold Brantley opened the meeting.

MINUTES

Motion by Thomas Oliver, second by Jeff Fultz and the Board unanimously approved the July 17, 2015 minutes. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.

EDUCATION

Motion by Dann Cann, second by Kathy Mayfield and the Board unanimously approved the following education courses for Fiscal Year 2015-2016. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

- (1) Department of Revenue, Office of Property Valuation
 1. KY Course 80 – Residential Real Property Appraisal – 15 hours CE classroom
- (2) American Society of Farm Managers & Rural Appraisers
 1. ASFMRA 86th Annual Convention Day 1 – 6 hours CE Classroom
 2. ASFMRA 86th Annual Convention Day 2 – 3 hours CE Classroom
 3. Rapid Fire Case Studies 2015 – 6 hours CE Classroom
- (3) Appraisal Institute
 1. FHA Appraising for Valuation Professionals – 7 hours CE classroom
- (4) McKissock
 1. Work File Your Best Defense Against an Offense – Live Webinar- 5 hours CE Online
 2. Fannie Mae Appraisal Guidelines – Live Webinar – 4 hours CE Online
 3. Expert Witness Testimony: To Do or Not To Do – Live Webinar – 4 hours CE online
 4. Avoiding Mortgage Fraud for Appraisers – 7 hours CE Online
- (5) Dynasty School
 1. Residential Site Valuation and Cost Approach – 15 hours QE Online
- (6) Appraisal Institute – Bluegrass Chapter
 1. Uniform Appraisal Standards for Federal Land Acquisitions – 16 hours CE classroom

EXPERIENCE REVIEW

Motion by Jeff Fultz, second by Kathy Mayfield and the Board voted to approve the following appraisers for experience credit. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.

- (1) Christopher Hymore – Approve experience for Certified General. He must pass the Certified General exam.
- (2) Scott Michals – Approve experience for Certified Residential. He must pass the Certified Residential exam.

- (3) Keith Murray – Approve experience for Certified Residential. He must pass the Certified Residential exam.

CERTIFICATION/LICENSURE

- A. Approval – Appraisers – Motion by Dann Cann, second by Thomas Oliver and the Board voted to approve the following certification list of appraisers. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes.

1) Appraisers

1. Marius W. Andreasen – Certified General (IL)
2. Jack L. Bailey – Certified General (TN)
3. James B. Childers – Associate

COMPLAINT

- A. The Board reviewed the Case Summary Chart. Tom Veit reported 29 appraiser cases and 1 AMC case have been filed.
- B. Case No. 15-04 – Motion by Thomas Oliver, second by Dann Cann and the Board unanimously agreed to set the case for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- C. Case No. 15-05– Motion by Dann Cann, second by Jeff Fultz and the Board unanimously agreed to set the case for an informal mediation and if not successful to set the case for a hearing. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- D. Case No. 15-06– Motion by Kathy Mayfield, second by Dann Cann and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- E. Case No. 15-12– Motion by Kathy Mayfield, second by Thomas Oliver and the Board unanimously agreed to issue a Letter of Admonishment. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- F. Case No. 14-08 AMC – Table for on going investigation.
- G. Case No. 14-09 AMC – Motion by Dann Cann, second by Jeff Fultz and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes

- H. Case No. 14-11 AMC – Motion by Dann Cann, second by Thomas Oliver and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- I. Case No. 14-37 – Motion by Jeff Fultz, second by Thomas Oliver and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- J. Case No. 14-41 – Motion by Dann Cann, second by Thomas Oliver and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- K. Case No. 14-14 AMC – Motion by Thomas Oliver, second by Dann Cann and the Board unanimously agreed to dismiss the case. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- L. Case No. 12-04 – Motion by Jeff Fultz, second by Dann Cann and the Board unanimously approved the final order. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- (1) Case No. 12-04 – Administrative Action No. 14-KREAB-307 – Thomas Biederman
 - (a) Thomas Biederman's KY Residential Certificate is Revoked.
- M. Case Nos. 14-38, 14-39 & 14-40 – Motion by Kathy Mayfield, second by Dann Cann and the Board unanimously approved the agreed order. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- (a) Beck shall complete a 15 hour Residential Market Analysis and Highest and Best use course and a 30 hour Basic Appraisal Procedures Course with successful completion of the examination for both courses. Said 45 hours of education shall be in addition to the regular continuing education requirement of 201 KAR 30:050 Section 7. The course work required herein shall be completed by December 31, 2015.
 - (b) Beck shall submit a log of assignments to the KREAB office every quarter for two (2) years from the date the Agreed Order is signed, and the KREAB staff or designee shall have the right to request and review reports from the log upon notice to the respondent.
 - (c) Beck agrees that he will not obtain any Associates for a period of 2 years from the date of the signed agreed order.
 - (d) Beck agrees that if the course work set forth in 6(a) is not completed by December 31, 2015, then the Board shall suspend his certificate (no. 4156) pending completion of the requirements of the terms set out in paragraph 6(a) of this order.

- N. Case No. 14-25 & Renewal of Appraisal License – Motion by Dann Cann, second by Jeff Fultz and the Board unanimously approved the agreed order. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- (a) Farmer agrees to a one month suspension with time considered served from July 1, 2015 to July 31, 2015.
 - (b) Farmer shall be fined the sum of \$1,000.00 with total amount to be paid with the signed agreed order.
 - (c) Farmer shall submit a log of assignments to the KREAB office every quarter for 1 year from the date the Agreed Order is signed, and the KREAB staff or designee shall have the right to request and review reports from the log upon notice to the respondent.
 - (d) Farmer agrees that he will not obtain any Associates for a period of 2 years from the date of the signed agreed order.
 - (e) Farmer agrees that the Board shall not renew his certification for the 2016 renewal cycle July 1, 2016 until he has completed the requirements of the terms set out in paragraphs (a & b) of this order.
- O. Cases on Appeal or scheduled for hearing – Attorney will work through the legal process on all below listed cases.
- (1) Lynn Prichard Case 12-10, 12-11, 12-12, 12-25, 12-26 – Pending in Circuit Court – Case is ongoing with appeal
 - (2) Matt Miniard - 10-18 – Final- Court ruled in favor of Board decision and case shall be closed.
 - (3) David Harrington– 08-49 through 08-57, 09-02, 09-03 and 09-07 Pending in Court of Appeals. Filed a statement and the board filed a supplemental response. – Final waiting on information from Court.

MISCELLANEOUS

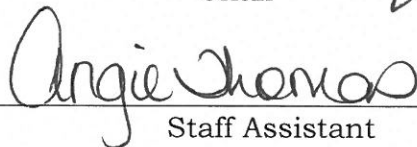
The Board reviewed and discussed the following information:

- A. Budget Ending July 31, 2015
- B. KREAB Administrative Regulations Discussion - Motion by Kathy Mayfield, second by Dann Cann and the Board unanimously approved the regulation change to KAR 30:050 and KAR 30:070. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes
- C. Appraisal Fee Study Survey by Region
- D. Discussion on contract for Investigator - Motion by Kathy Mayfield, second by Dann Cann and the Board unanimously approved travel request from Dennis Badger to be reimbursed for the AARO fall conference in 2015 with a revision being made to investigator contract to include \$3,000 for travel expense. Roll call – Kathy Mayfield – Yes; Thomas Oliver – No; Dann Cann – Yes; Jeff Fultz – Yes

- E. September Board Meeting & Retreat – September 24 & 25, 2015 – Dale Hollow State Park
- F. AARO Conference – October 16-20, 2015 Washington, DC - Motion by Dann Cann, second by Kathy Mayfield and the Board unanimously approved for Nicole Biddle to attend AARO and the Board will reimburse her expenses. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes
- G. October Board Meeting – The board agreed to change to October meeting to Monday, October 26, 2015.
- H. The Board advised staff to look into a new video conference system and bring information back to the Board.

Motion by Jeff Fultz, second by Dann Cann, and the Board unanimously agreed to adjourn the meeting. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz - Yes.


Chair


Staff Assistant